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## **Electoral College**

The most democratic system for electing a President would be award the office to the candidate with the largest number of popular votes nationwide. That would require a Constitutional amendment at a time when the amendment process is virtually impossible for any issue so politically charged. The next most democratic system would be one that has the best chance of reflecting the national popular vote. Our present Electoral College system seems bizarre and cumbersome in the 21<sup>st</sup> Century. But over two-and-a quarter centuries it has done a remarkably good job of electing the candidate favored by a plurality of voters nationwide.

Since the establishment of the Constitution, there have been 57 Presidential elections, and in only three—at the most four-- has the Electoral College failed to reflect the intentions of the plurality of American voters.

In 1824, Andrew Jackson received the largest number of popular votes and the largest number of electoral votes, but with four candidates in the race he did not garner a majority of the electoral votes. The issue went to the House of Representatives. It selected John Quincy Adams, who had come in second in both popular and electoral votes.

In 1876, Samuel J. Tilden received a majority of the popular votes but only 184 undisputed electoral votes—one short of the number needed to elect. There were disputes over the votes in South Carolina, Louisiana and Florida, any one of which could have given the election to Tilden. Congress established a commission to resolve the matter, and on a strict party-line vote, the Commission awarded all of the disputed electoral votes to Rutherford B. Hayes, who became President.

In 1888, Grover Cleveland, running for a second term, garnered 100 thousand more popular votes than Benjamin Harrison, but Harrison received 65 more electoral votes than Cleveland and was elected. This is the only clear case of the electoral vote not reflecting the popular vote—and that happened 126 years ago.

Our most recent failure was the year 2000, when Al Gore received half a million more popular votes than George W. Bush. Before the Florida vote was decided, Gore needed only one more electoral vote to win. In the end, Bush was judged to have received just 537 more popular votes in Florida than Gore, and he received all of the state's electoral votes to win the Presidency.

I don't want to relitigate all those issues of hanging chads, recounts, and the like. But I will point out that Pat Buchanan was counted as having received 3,400 votes in heavily Democratic Palm Beach County. Many Gore supporters

complained that they had been misled by the county's absurd "butterfly ballot," so that their votes were counted for Buchanan instead. If all of those who went to the polls in Palm Beach County intending to vote for Gore had in fact voted for Gore, he would have carried Florida. But for that quirk—the result of an idiotic decision by a Democratic county clerk—the national popular vote majority for Gore would have resulted in an Electoral College majority as well.

My point is this. Short of replacing electoral votes with popular votes nationally, we should not tinker with this system—however imperfect it may seem. It has ended up reflecting the intentions of the majority of voters nationally in every election over the past 126 years. They say, "If it ain't broke, don't fix it." This system may be clumsy, but it is not broken, and we should not attempt to fix it on a piecemeal basis. To do so would be a step backwards for our American democracy.